

S/N 09/437,567

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant:  | SEARE ET AL.   | Examiner:       | Poinvil     |
| Serial No.: | 09/437,567   | Group Art Unit: | 2755        |
| Filed:      | 11/10/99   | Docket No.:     | 12344.2USCI |
| Title:      | METHOD AND SYSTEM FOR GENERATING STATISTICALLY-BASED MEDICAL PROVIDER UTILIZATION PROFILES |                 |             |

SECOND REQUEST FOR INTERFERENCE AND SUPPLEMENTAL PRELIMINARY AMENDMENT

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**OFFICIAL**

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Dear Sir:

Applicants renew their request pursuant to 35 CFR § 1.607(a) that an interference be promptly declared between the present application and U.S. Patent No. 5,835,897 (the "'897 Patent"). In addition, Applicants request that, prior to examination, the present application be amended as follows:

In the Claims

Please cancel claims 39-55 without prejudice.

Remarks

Applicants respectfully renew their request, initially made in a paper filed on November 10, 1999 pursuant to 37 C.F.R. § 1.607(a), that an interference be declared between the present application and the '897 Patent. Under the provisions of 37 CFR § 1.607(b), once such a request has been made, the prosecution of this application is to be conducted with special dispatch within the Patent and Trademark Office. This is especially important in the present case because the owner of the '897 Patent is charging the Assignee of the present application with infringement of the '897 Patent in a suit filed on July 25, 2000 in the United States District Court for the District of Arizona, Civil Action No. 1411 PHX EHC. It is thus clearly essential that the ownership of the invention claimed in both the present